

1 WILMER CUTLER PICKERING  
2 HALE AND DORR LLP  
3 Mark D. Selwyn (SBN 244180)  
mark.selwyn@wilmerhale.com  
2600 El Camino Real, Suite 400  
Palo Alto, CA 94306  
Telephone: (650) 858-6000  
Fax: (650) 858-6100

6 WILMER CUTLER PICKERING  
7 HALE AND DORR LLP  
8 Leon B. Greenfield (*pro hac vice*)  
leon.greenfield@wilmerhale.com  
9 Amanda L. Major (*pro hac vice*)  
amanda.major@wilmerhale.com  
10 1875 Pennsylvania Avenue NW  
Washington, DC 20006  
Telephone: (202) 663-6000  
Fax: (202) 663-6363

12 *Attorneys for Plaintiffs*  
13 *Intel Corporation and Apple Inc.*

WILMER CUTLER PICKERING  
HALE AND DORR LLP  
William F. Lee (*pro hac vice*)  
william.lee@wilmerhale.com  
Joseph J. Mueller (*pro hac vice*)  
joseph.mueller@wilmerhale.com  
Timothy D. Syrett (*pro hac vice*)  
timothy.syrett@wilmerhale.com  
60 State Street  
Boston, MA 02109  
Telephone: (617) 526-6000  
Fax: (617) 526-5000

18 INTEL CORPORATION and APPLE INC.,

Case No. 3:19-cv-07651-EMC

19 v. Plaintiffs,

20  
21 FORTRESS INVESTMENT GROUP LLC,  
FORTRESS CREDIT CO. LLC, UNILOC  
22 2017 LLC, UNILOC USA, INC., UNILOC  
LUXEMBOURG S.A.R.L., VLSI  
23 TECHNOLOGY LLC, INVIT SPE LLC,  
INVENTERGY GLOBAL, INC., and IXI IP,  
24 LLC,  
25

**INTEL CORPORATION AND APPLE  
INC.'S ADMINISTRATIVE MOTION TO  
FILE MEMORANDUM OF POINTS  
AND AUTHORITIES IN OPPOSITION  
TO DEFENDANTS' JOINT MOTION TO  
DISMISS UNDER SEAL**

26 Defendants.  
27

1       In accordance with Civil Local Rules 7-11 and 79-5, Intel Corporation (“Intel”) and  
 2 Apple Inc. (“Apple”) submit this motion for an order to seal limited portions of Plaintiffs’  
 3 Memorandum of Points and Authorities in Opposition to Defendants’ Joint Motion to Dismiss and to  
 4 Strike Plaintiffs’ Second Amended Complaint (“Opposition to Motion to Dismiss”).  
 5

6       As set forth in the Declaration of Mark D. Selwyn in Support of Intel and Apple’s  
 7 Administrative Motion to File Memorandum of Points and Authorities in Opposition to Defendants’  
 8 Joint Motion to Dismiss Under Seal (“Selwyn Decl.”), portions of the Opposition to Motion to  
 9 Dismiss contain information regarding licensing negotiations between Intel and one or more  
 10 defendants or non-parties (“Interested Parties”), which the Court sealed in Intel and Apple’s  
 11 Amended Complaint and in Intel and Apple’s Second Amended Complaint. Selwyn Decl. ¶ 2. Intel  
 12 and Apple understand that the Interested Parties may seek to file further declarations in support of  
 13 sealing this information. Selwyn Decl. ¶ 3.

14       Portions of the Opposition to Motion to Dismiss contain information regarding damages  
 15 claims made by Defendant VLSI Technology LLC (“VLSI”) in other litigations. Apple understands  
 16 that VLSI may consider this information to be Highly Confidential – Attorneys’ Eyes Only. The  
 17 Court previously sealed the information about VLSI’s damages contentions in Intel and Apple’s  
 18 Second Amended Complaint. ECF No. 238 at 2. Intel agreed to file VLSI’s damages contentions  
 19 under seal when it sought relief from the protective order in *VLSI Technology LLC v. Intel*  
*Corporation*, Case No. 1:18-cv-00966-CFC-CJB. *Id.*, ECF No. 687; *see also id.*, ECF No. 693  
 20 (granting Intel’s motion for relief). Intel and Apple understand that VLSI may seek to file further  
 21 declarations in support of sealing this information. Selwyn Decl., ¶¶ 4-5.  
 22

23       Portions of the Opposition to Motion to Dismiss contain information about VLSI’s patent  
 24 purchase agreements with third parties. The Court previously sealed the information about VLSI’s  
 25 patent purchase agreements with third parties in Intel and Apple’s Second Amended Complaint.  
 26 ECF No. 238 at 2. Intel agreed to file this information under seal when it sought relief from the  
 27 protective order in *VLSI Technology LLC v. Intel Corporation*, Case No. 1:18-cv-00966-CFC-CJB.  
*Id.*, ECF No. 687; *see also id.*, ECF No. 693 (granting Intel’s motion for relief). Intel understands  
 28

1 that VLSI considers this information to be Highly Confidential – Attorneys’ Eyes Only. Intel and  
2 Apple expect that VLSI may seek to file a declaration in support of sealing this information. Selwyn  
3 Decl., ¶¶ 6-7.

5 For the foregoing reasons, Intel and Apple move to file portions of the Opposition to Motion  
6 to Dismiss under seal.

8 DATED: June 14, 2021

Respectfully submitted,

9 By: /s/ Mark D. Selwyn

10 Mark D. Selwyn (SBN 244180)  
11 mark.selwyn@wilmerhale.com  
12 WILMER CUTLER PICKERING  
13 HALE AND DORR LLP  
14 2600 El Camino Real, Suite 400  
Palo Alto, CA 94306  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

15 William F. Lee (*pro hac vice*)  
william.lee@wilmerhale.com  
16 Joseph J. Mueller (*pro hac vice*)  
joseph.mueller@wilmerhale.com  
17 Timothy Syrett (*pro hac vice*)  
timothy.syrett@wilmerhale.com  
18 WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
19 Boston, MA 02109  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000

21 Leon B. Greenfield (*pro hac vice*)  
leon.greenfield@wilmerhale.com  
22 Amanda L. Major (*pro hac vice*)  
amanda.major@wilmerhale.com  
23 WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue, N.W.  
24 Washington, DC 20006  
Telephone: (202) 663-6000  
Facsimile: (202) 663-6363

27 *Attorneys for Plaintiffs*  
INTEL CORPORATION, APPLE INC.

## **CERTIFICATE OF SERVICE**

On this 14th day of June 2021, I hereby certify that I caused the foregoing document entitled Intel Corporation and Apple Inc.'s Administrative Motion to File Memorandum of Points and Authorities in Opposition to Defendants' Joint Motion to Dismiss Under Seal to be filed via the court's CM/ECF system, which shall send notice to the counsel of record for the parties.

DATED: June 14, 2021

Respectfully submitted,

By: /s/ Mark D. Selwyn

Mark D. Selwyn (SBN 244180)  
mark.selwyn@wilmerhale.com  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
2600 El Camino Real, Suite 400  
Palo Alto, CA 94306  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

*Attorney for Plaintiffs*  
INTEL CORPORATION, APPLE INC.